

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

-----X
DEIRDRE PRICE,

Plaintiff,

-against-

COUNTY OF NASSAU,
PORT WASHINGTON POLICE DEPARTMENT and
"JOHN DOE, #1-10",

Defendants.
-----X

Index No.:

Date Purchased:

SUMMONS

Plaintiff designates Nassau
County as the place of trial.

The basis of venue is:
Defendant's principal place
of business

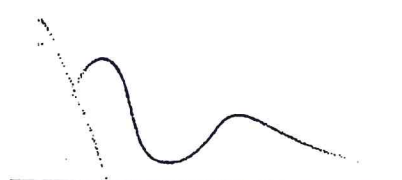
Defendant's principal place
of business at
One West Street
Mineola, New York 11501

COUNTY OF NASSAU

To the above named Defendants:

You are hereby summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Garden City, New York
July 18, 2018



JOSEPH G. DELL
DELL & DEAN, PLLC
Attorneys for Plaintiff
DEIRDRE PRICE
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700
File No.:3574

RECEIVED

JUL 24 2018

P.W.P.D.

TO: COUNTY OF NASSAU
COUNTY ATTORNEY
One West Street
Mineola, New York 11501

PORT WASHINGTON POLICE DEPARTMENT
500 Port Washington Boulevard
Port Washington, New York 11050

"JOHN DOE, #1-10"
c/o PORT WASHINGTON POLICE DEPARTMENT
500 Port Washington Boulevard
Port Washington, New York 11050

SUPREME COURT OF THE STATE OF NEW YORK
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**VERIFIED
COMPLAINT**

Plaintiff, by her attorneys, **DELL & DEAN, PLLC**, complaining of the Defendants, respectfully alleges, upon information and belief, as follows:

1. At all times herein mentioned, Plaintiff was, at the time of the incident, a resident of the County of Nassau, State of New York.
2. That the cause of action alleged herein arose in the County of Nassau, State of New York.
3. That this action falls within one or more of the exemptions set forth in CPLR §1602.
4. That on or about July 24, 2017, and at all times herein mentioned, Defendants **COUNTY OF NASSAU** and **PORT WASHINGTON POLICE DEPARTMENT** were, and still are, municipal corporations duly organized and existing under and by virtue of the laws of the State of New York.
5. That prior hereto on October 24, 2017, a sworn Notice of Claim stating, among other things, the time when and place where the injuries and damages were sustained, together with

Plaintiff's demands for adjustment thereof was duly served on the claimant's behalf on the Defendants and that thereafter said Defendants refused or neglected for more than thirty (30) days, and up to the commencement of this action, to make any adjustment or payment thereof, and that thereafter, and within the time provided by law, this action was commenced.

6. That pursuant to General Municipal Law 50(h), a hearing was conducted on May 23, 2018 by the Defendants.

7. That this action is being commenced within one year and ninety days after accrual of this cause of action, or within the time allowed by law.

8. That on or about July 24, 2017, and at all times mentioned herein, Defendants **PORT WASHINGTON POLICE DEPARTMENT** and "**JOHN DOE, #1-10**" were acting as agents of the **COUNTY OF NASSAU**.

9. That on or about July 24, 2017, through on or about February 9, 2018, Plaintiff, **DEIRDRE PRICE**, was falsely arrested, and prosecuted, while at the Port Washington Police Department to report a violation of the Order of Protection against the Plaintiff's daughter, and was detained. After being falsely arrested, detained, injured and maliciously prosecuted, a charge was reduced and any remaining charges were dropped on February 9, 2018.

11. At all times hereinafter mentioned, Defendants, **COUNTY OF NASSAU** and **PORT WASHINGTON POLICE DEPARTMENT**, were under the duty to supervise, train, educate, control and employ their employees and agents in a reasonably prudent and careful manner and that the Defendants had a duty to protect all persons, including the Plaintiff **DEIRDRE PRICE** herein and the Defendants breached that duty by falsely arresting, detaining, prosecuting and failing to release the Plaintiff; in falsely arresting and detaining Plaintiff, and in participating and assisting in

the negligent, reckless, careless and intentional, malicious, grossly negligent, willful wanton and harmful and wrongful imprisonment of the Plaintiff **DEIRDRE PRICE**.

13. That the incidents and damages alleged in this action resulted from the negligence, recklessness, carelessness and maliciousness of the Defendants, **COUNTY OF NASSAU** and **PORT WASHINGTON POLICE DEPARTMENT** in the hiring, training, supervision, and management of their employees, agents and servants.

14. That at all times hereinafter mentioned, Defendants, **COUNTY OF NASSAU**, **PORT WASHINGTON POLICE DEPARTMENT** and "**JOHN DOE, #1-10**", while acting under color of State Law, deprived Plaintiff **DEIRDRE PRICE** of her constitutional rights, privileges and immunities and therefore, violated 42 U.S.C. §1983.

15. That the incidents and damages alleged in this action resulted from the negligence and carelessness of the Defendants, **COUNTY OF NASSAU** and **PORT WASHINGTON POLICE DEPARTMENT**, in the hiring, training, supervision, control and management of their agents, servants, employees

16. That the aforementioned incident was wrongful, unjustifiable and unlawful and without any fault on the part of the Plaintiff **DEIRDRE PRICE**.

17. That as a result of the foregoing, Plaintiff **DEIRDRE PRICE** was caused personal injuries, trauma, mental anguish, embarrassment and shock and has been otherwise injured.

18. That the aforesaid occurrence, and the results thereof, were in no way caused by any carelessness or negligence on the part of the Plaintiff **DEIRDRE PRICE**, but were due solely and wholly to the joint, several and/or concurrent negligence of the Defendants, **COUNTY OF NASSAU**, **PORT WASHINGTON POLICE DEPARTMENT** and "**JOHN DOE, #1-10**", their

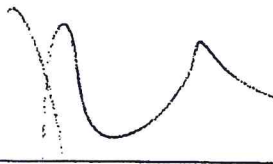
agents, servants, employees and/or licensees in wrongfully and unlawfully arresting and detaining the Plaintiff; and in being otherwise careless, reckless and negligent.

19. That as a result of the foregoing, the Plaintiff **DEIRDRE PRICE** was caused to sustain severe and permanent injuries, has suffered and will continue to suffer great pain, shock and mental anguish, with a resultant loss thereby.

20. By reason of the foregoing, Plaintiff **DEIRDRE PRICE** has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction herein.

WHEREFORE, Plaintiff prays for judgment against the Defendants on behalf of this Cause of Action in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction herein, together with the costs and disbursements of this action.

Dated: Garden City, New York
July 18, 2018



JOSEPH G. DELL
DELL & DEAN, PLLC
Attorneys for Plaintiff
DEIRDRE PRICE
1225 Franklin Avenue, Suite 450
Garden City, New York 11530
(516) 880-9700
File No.:3574

VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF NASSAU)

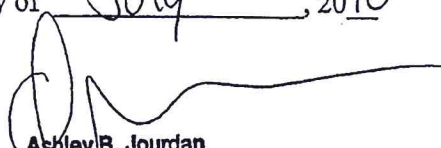
I, Deirdre Price, being duly sworn, deposes and says:

I am the plaintiff in the within action;

I have read the following Complaint and believe the same is to
be true to my knowledge; the same is true to my knowledge except as to those matters therein
stated to be alleged on information and belief and as to those matters I believe them to be true.

Deirdre Price

Sworn to before me this
18 day of July, 2018


Ashley B. Jourdan
Notary Public, State of New York
No. 01JO6347016
Qualified in Nassau County
Commission Expires 8/29/2020

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Defendants.
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SUMMONS & VERIFIED COMPLAINT

DELL & DEAN, PLLC
Attorneys for Plaintiff
1225 Franklin Avenue, Suite 450
Garden City, NY 11530
Telephone: (516) 880-9700

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU**

-----x
Deirdre Price

Plaintiff/Petitioner,

-against-

Index No. 609517/2018

County of Nassau, Port Washington Police Department,
John Doe # 1-10

Defendant/Respondent.
-----x

NOTICE OF ELECTRONIC FILING

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

(CPLR § 2111, Uniform Rule § 202.5-bb)

If you are represented by an attorney: give this Notice to your attorney. (Attorneys: see "Information for Attorneys" pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to e-file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works, you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk's Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either:

- 1) immediately record his or her representation within the e-filed matter on the NYSCEF site <https://iapps.courts.state.ny.us/nyscef/HomePage>; or
- 2) file the Notice of Opt-Out form with the clerk of the court where this action is pending. Exemptions from mandatory e-filing are limited to attorneys who certify in good faith that they lack the computer hardware and/or scanner and/or internet connection or that they lack (along with all employees subject to their direction) the operational knowledge to comply with e-filing requirements. [Section 202.5-bb(e)]

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: efile@nycourts.gov).

Dated: 07/18/2018

JOSEPH GERARD DELL

Name

Dell & Dean, PLLC

Firm Name

1225 Franklin Avenue, Suite 450,
Address

Garden City, NY 11530

(516) 880-9700

Phone

JDell@D2TrialLaw.com

E-Mail

To:

County of Nassau
County Attorney
One West Street
Mineola, NY 11501

11/20/17

Index No.

609517/2018

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Dated: 07/18/2018

JOSEPH GERARD DELL

Name

Dell & Dean, PLLC

Firm Name

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Dated: 07/18/2018

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Firm Name

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